

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 07-20546

v.

HONORABLE GEORGE C. STEEH

JOSEPH COSTA PACHECO III,

Defendant.

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**ORDER HOLDING DEFENDANT'S MOTION IN LIMINE #2 IN ABEYANCE**

Having reviewed all motions, briefs, and exhibits filed by both parties in connection with Defendant's Motion in Limine, the Motion [Dkt. # 40] is hereby HELD IN ABEYANCE. Defendant's prior convictions are not admissible under Federal Rule of Evidence 609, but may be admissible to impeach Defendant in the event that he implies at trial that he has never previously been arrested or convicted. Accordingly, the Court will reserve judgment on the motion until the conclusion of Defendant's presentation of evidence.

Dated: January 13, 2009

S/George Caram Steeh

GEORGE CARAM STEEH

UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

Copies of this Order were served upon attorneys of record on  
January 13, 2009, by electronic and/or ordinary mail.

S/Josephine Chaffee

Deputy Clerk